

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TC TRANSCONTINENTAL PACKAGING INC.,

Plaintiff,

-v-

UTECO CONVERTING S.P.A. *and* UTECO NORTH
AMERICA, INC.,

Defendants.

25 Civ. 3449 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On July 31, 2025, defendants filed a motion to dismiss the complaint under Rule 12 of the Federal Rules of Civil Procedure. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that plaintiff shall file any amended complaint by August 21, 2025. No further opportunities to amend will ordinarily be granted. If plaintiff does amend, by September 11, 2025, defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiff, stating that they rely on the previously filed motion to dismiss.¹

It is further ORDERED that if no amended complaint is filed, plaintiff shall serve any opposition to the motion to dismiss by August 21, 2025. Defendants' reply, if any, shall be served by September 4, 2025. At the time any reply is served, the moving party shall supply the

¹ If defendants file a new motion to dismiss or rely on their previous motion, plaintiff's opposition will be due 14 days thereafter, and defendants' reply, if any, will be due seven days after that.

Court with two (2) courtesy copies of all motion papers by mailing or delivering them to the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York 10007.

For the avoidance of doubt, the initial pretrial conference scheduled for August 13, 2025, is hereby adjourned *sine die*.

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Dated: July 31, 2025
New York, New York